

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA**

DR. STEVEN M. DENENBERG,

Plaintiff,

VS.

DR. BRUCE KATZ and

DR. BILL KIM,

Defendants.

8:08CV497

SCHEDULING ORDER

This case is before the magistrate judge for full pretrial supervision. The court file shows that the remaining defendants, Dr. Bruce Katz and Dr. Bill Kim, were served with summons on March 23, 2009. Apparently, the defendants have failed to timely answer or otherwise respond to the complaint. It remains plaintiff's duty to go forward in prosecuting the case by, for example, obtaining an entry of default and filing a motion for default judgment.

IT THEREFORE IS ORDERED that plaintiff is given until **September 30, 2009** to obtain an entry of default pursuant to Fed. R. Civ. P. 55(a) and file a motion for default judgment in accordance with Fed. R. Civ. P. 55(b), or take other appropriate action to prosecute this case. If appropriate action is not taken, I will recommend that the case be dismissed without prejudice pursuant to NECivR 41.2 for failure to prosecute.

DATED September 18, 2009.

BY THE COURT:

s/ F.A. Gossett

United States Magistrate Judge